

FILED
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MEMBER DEL. AND FLA. BARS

January 9, 2006

The Honorable Gregory M. Sleet
U.S. District Court
844 King Street
Wilmington, DE 19801

Re: U.S. v. Deondre Boyer
Cr.A. No. 05-98-GMS

Dear Judge Sleet:

Upon return to my office, after our recent, if not pleasant, telephone conference, I discovered a circumstance that I feel compelled to bring to your attention.

As I indicated, my calendar is "clear" for the week beginning May 1st. When I informed you of that circumstance during the course of the telephone conference, I neglected (probably because I was in a vacation mode state of mind) to look at any other week other than that which was brought to my attention. When I returned, and after reviewing the Scheduling Order, I noted that I do begin a trial, and which has been scheduled for the better part of eight months, in the Superior Court of New Castle County on April 25th. Although, ordinarily, I would feel comfortable in indicating that I was reasonably assured that this trial (State v. Roy Silver) would conclude so as not to interfere with the commencement of a trial beginning on May 1st, I note that there is a co-defendant in the case and who is represented by another attorney. While I can project how long that defense would take if I were the attorney, it would be presumptuous of me to assume that another attorney would conduct a trial as I would. I am concerned, therefore, that there is a possibility that the Silver trial would "spill over" into the week of May 1st and possibly beyond Monday, May 1st itself.

I bring this to your attention, at this time, rather than "gambling" that the Silver trial will conclude, only to find

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that it has not, and causing you unnecessary inconvenience.

I look forward to guidance from the Court.

Respectfully,

Joe Hurley

JAH:jr
pc: Douglas E. McCann, Esquire